

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CORNEL WEST AND MELINA  
ABDULLAH, GERALDINE  
TUNSTALLE, KATHERINE HOPKINS-  
BOT, AND CHARLES HIER,

Plaintiffs,

v.

PENNSYLVANIA DEPARTMENT OF  
STATE AND AL SCHMIDT, IN HIS  
CAPACITY AS SECRETARY OF THE  
COMMONWEALTH,

Defendants.

No. 2:24-cv-01349

*(filed electronically)*

**PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF UNOPPOSED  
MOTION FOR EXTENSION OF TIME TO FILE STATUS UPDATE**

Plaintiffs initiated this action in advance of the 2024 General Election seeking declaratory and injunctive relief, alleging Defendants' interpretation of the Election Code provisions governing nomination of political body candidates was in violation of the First and Fourteenth Amendments of the United States Constitution.

By Order dated November 27, 2024, this Court directed the parties to file an update by December 6, 2024, as to whether they intend on dismissing this case. Defendants filed a status report indicating that they do not object to dismissal of the action. Plaintiffs were not able to file a status report by this deadline. Accordingly, the Court directed Plaintiffs to provide by December 11, 2024 their

position regarding dismissal and show why the action should not be dismissed for mootness.

Plaintiffs assert that this action was not mooted by the passage of the 2024 General Election. Nevertheless, despite good faith efforts, undersigned counsel has not yet been able to confer with all Plaintiffs regarding their desire to continue the present litigation prior to this Court's December 6 deadline and now December 11 deadline. Accordingly, Plaintiffs respectfully request that this Court grant a brief extension to December 13 for Plaintiffs to submit their status report with the Court regarding their intent to proceed with the litigation. Plaintiffs sought Defendants concurrence in this requested relief and Defendants do not oppose the extension.

Respectfully submitted,

Dated: December 11, 2024

/s/ Matthew H. Haverstick  
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